

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, JANUARY 23, 19 79

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council

Chambers Tuesday evening January 23 A.D., 19 79, in
Regular Session. President Winfield C. Moses, Jr. in the chair,
and Charles W. Westerman Clerk, at the desk, present the following

members _____ viz:

BURNS X, HINGA X, HUNTER X,
MOSES X, NUCKOLS X, DONALD SCHMIDT X,
VIVIAN SCHMIDT X, STIER X, TALARICO X,
ABSENT _____

COUNCILMAN _____, _____, _____,
_____, _____, _____,

The invocation was given by _____

Received report from the City Controller for the month of December,
19 78. Motion made and carried that report be made a matter of record and placed
on file.

The minutes of the last Regular January 9, 19 79,
Reorganization January 2, 19 79,
Special , 19 ,

Session having been delivered to the Council, were, on motion, approved and
published.



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

office of the mayor

January 17, 1979

To the Common Council
Gentlemen and Mrs. Schmidt:

Today, January 17, 1979, I have approved the following ordinances passed by Common Council at its regular meeting on January 9, 1979.

(Bill No. S-78-11-10)
SPECIAL ORDINANCE NO. S-01-79

AN ORDINANCE approving a Consultant Agreement with Clyde E. Williams & Associates, Inc. on Lake Avenue, Rudisill Blvd., Bluffton Road & Crescent Avenue

(Bill No. S-78-12-01)
SPECIAL ORDINANCE NO. S-02-79

AN ORDINANCE approving a contract for Improvement Resolution No. 5822-78, between the City of Fort Wayne, Indiana and Martin, Inc. for demolition of buildings

(Bill No. R-79-01-07)
RESOLUTION NO. R-01-79

A RESOLUTION authorizing payment to various agencies for repair of various vehicles

(Bill No. Z-78-11-19)
ZONING MAP ORDINANCE NO. Z-01-79

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-7

(Bill No. Z-78-11-20)
ZONING MAP ORDINANCE NO. Z-02-79

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-3 & L-7

1/23/79 MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK

(Bill No. Z-78-11-22)
ZONING MAP ORDINANCE NO. Z-03-79

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. I-26

(Bill No. Z-78-11-57)
ZONING MAP ORDINANCE NO. Z-04-79

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-7

(Bill No. Z-78-11-58)
ZONING MAP ORDINANCE NO. Z-05-79

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M-30

(Bill No. Z-78-11-61)
ZONING MAP ORDINANCE NO. Z-06-79

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. R-14

Bill No. G-78-10-06)
GENERAL ORDINANCE NO. G-02-79

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation
of a certain street

(Bill No. S-78-12-07)
SPECIAL ORDINANCE NO. S-03-79

AN ORDINANCE approving a contract for Street Improvement Resolution No. 5821-78,
between the City of Fort Wayne, Indiana and Rieth-Riley Construction Co., Inc.
for resurfacing a certain street

(Bill No. S-78-12-08)
SPECIAL ORDINANCE NO. S-04-79

AN ORDINANCE approving a contract for Street Improvement Resolution No. 5820-78
between the City of Fort Wayne, Indiana and Wayne Asphalt & Construction Co.,
Inc. for resurfacing Broadway Avenue

(Bill No. S-78-12-09)
SPECIAL ORDINANCE NO. S-05-79

AN ORDINANCE approving City Utilities Purchase Order No. 0495 with General
Electric Company for equipment for City Street Lighting Department

(Bill No. S-78-12-10)
SPECIAL ORDINANCE NO. S-06-79

AN ORDINANCE approving City Utilities Purchase Order No. 0494 with Indiana Office Systems, Inc. for equipment for Water Maintenance & Service Department

(Bill No. S-78-12-12)
SPECIAL ORDINANCE NO. S-07-79

AN ORDINANCE approving City Utilities Purchase Order No. 0309 with General Electric Supply for materials for the City Street Lighting Department

(Bill No. S-78-12-13)
SPECIAL ORDINANCE NO. S-08-79

AN ORDINANCE approving Change Order No. 1 in connection with Street Lighting Improvement Resolution No. 131-78

(Bill No. S-78-12-14)
SPECIAL ORDINANCE NO. S-09-79

AN ORDINANCE approving City Utilities Purchase Order No. 0503 with Henry Electric Company Inc. for materials for Water Pollution Control Plant

(Bill No. S-78-12-15)
SPECIAL ORDINANCE NO. S-10-79

AN ORDINANCE approving a blanket purchase order - City Utilities Purchase Order No. B-0500 for supplies for Office Services Department

(Bill No. S-78-12-16)
SPECIAL ORDINANCE NO. S-11-79

AN ORDINANCE approving City Utilities Purchase Order No. 0522 with Transmission & Fluid Equipment for equipment for the Three Rivers Filtration Plant

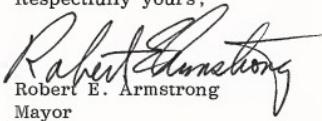
(Bill No. S-78-12-17)
SPECIAL ORDINANCE NO. S-12-79

AN ORDINANCE approving a contract for Sewer Improvement Resolution No. 303-78, between the City of Fort Wayne, Indiana and Spears-Dehner, Inc. for installation Monarch Park storm drain

(Bill No. S-78-12-18)
SPECIAL ORDINANCE NO. S-13-79)

AN ORDINANCE approving an Agreement with Marlin R. Jones and G. Michael Axson for construction of a sanitary sewer

Respectfully yours,



Robert E. Armstrong
Mayor



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

office of the mayor

January 18, 1979

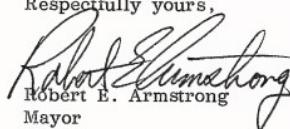
To the Common Council
Gentlemen and Mrs. Schmidt:

Today, January 18, 1979, I have approved the following ordinance passed by Common Council at its regular meeting on January 9, 1979.

(Bill No. G-78-12-02)
GENERAL ORDINANCE NO. G-01-79

AN ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE, INDIANA TO ENTER INTO A CONTRACT FOR PRODUCTION OF SUPPLEMENTS TO THE CODE OF THE CITY OF FORT WAYNE, INDIANA OF 1974

Respectfully yours,


Robert E. Armstrong
Mayor





THE CITY OF FORT WAYNE
office of city plan commission

10 January 1979

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt :

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-78-10-32

Respectfully submitted,
CITY PLAN COMMISSION

Certified and signed this
10th day of January 1979.



Luben Lazoff
Secretary



THE CITY OF FORT WAYNE
office of city plan commission

10 January 1979

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held October 27, 1978. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-78-10-32
2. From "RA" to "M1"
3. Intended Use: Industrial Subdivision
4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

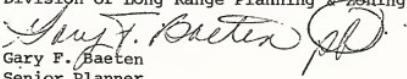
a. This request is a logical extension of an industrial district.

CONDITION: The petitioner agrees in writing that there will be no access to the site from Burma Road. (SEE ATTACHED LETTER OF AGREEMENT)

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning & Zoning


Gary F. Baeten
Senior Planner

GFB:pb

Attachments

ADAIR, PERRY, BEERS, MALLERS & LARMORE
ATTORNEYS

2200 FORT WAYNE NATIONAL BANK BUILDING
FORT WAYNE, INDIANA 46802

January 9, 1979

RAMON S. PERRY
ORVAS E. BEERS
GEORGE C. MALLERS
PHILIP H. LARMORE
STEPHEN W. ADAIR
THOMAS E. RUZZO
G. WILLIAM FISHERING, III
RICHARD E. BEERS
PETER G. MALLERS, II

E. ROSS ADAIR
OF COUNSEL

TELEPHONE 743-9706
AREA CODE 219

GEORGETOWN BRANCH OFFICE
6633 EAST STATE BOULEVARD
TELEPHONE 486-2461

City Development & Planning
Room 830
City County Building
Fort Wayne, Indiana 46802

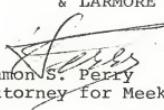
Re: Bill No. Z-78-10-32
From RA "Z" to M-1
Containing approximately 9.89 acres

Gentlemen:

This will confirm that neither we nor our successors or assigns will use the Burma Road as access to the property above referred to and that the action of the Plan Commission in assigning to said property an M-1 zoning designation is expressly subject to said restriction; provided further, that we also agree that if it is desired at any time in the future to use said Burma Road as access to said property, it shall be done only after improvement of Burma Road according to city street specifications.

Very truly yours,

ADAIR, PERRY, BEERS, MALLERS
& LARMORE


Ramon S. Perry
Attorney for Meek-Mack, Inc., Owner

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 24, 1978, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-78-10-32; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

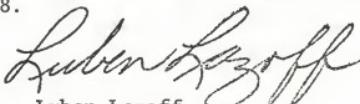
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 20, 1978;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

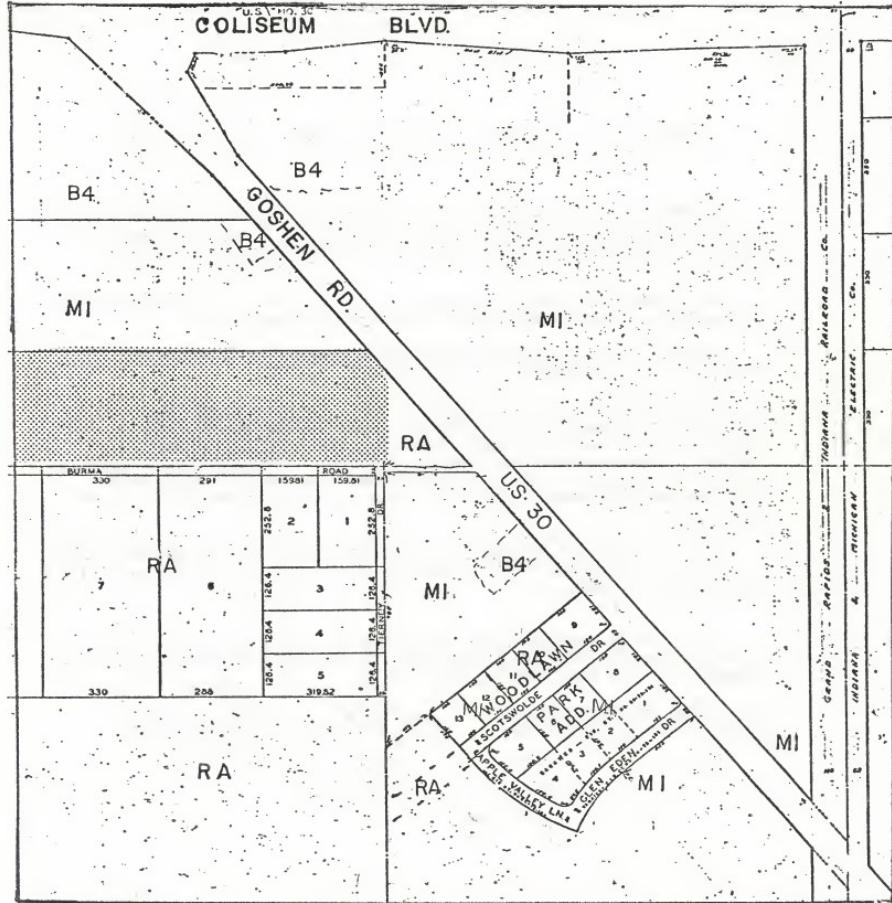
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 27, 1978.

Certified and signed this
10th day of January 1979.



Luben Lazoff
Secretary



Z-78-10-32

REZONE FROM RA TO MI

MAP NO. I-26

BY M.F. CROSLEY 10-9-78

CITY CONTROLLER'S AND CITY TREASURER'S MONTHLY FINANCIAL STATEMENT

MONTH OF DECEMBER, 1974

FUNDS	BEGINNING BALANCE	RECEIPTS FOR MONTH	TOTAL BALANCE AND RECEIPTS	DISBURSED TO DATE	DISBURSED FOR MONTH	TOTAL DISBURSED	CONTROLLER'S ENDING BALANCE
STREET BOND RETIREMENT	174,222.02	80,805.42	255,027.44	180,914.74	188,222.50	378,137.24	66,804.94
CDBG DISCRETIONARY	49,311.31	84,197.92	133,509.24	1,140,740.24	125,834.07	1,288,534.31	7,815.17
TITLE IX - CDAF	294.04	0.00	294.04	3,123.26	0.00	3,123.26	294.04
FEDERAL REVOLVING FUND	8,763.14	9,415.00	18,178.14	167,945.41	14,007.20	151,950.61	4,170.94
COMMUNITY PENALTY PROGRAM	5,588.90	0.00	5,588.90	11,136.03	0.00	11,136.03	5,588.90
E.D.A. GRANT	26,451.37	0.00	26,451.37	20,617.83	6,705.47	27,823.20	20,645.50
COMMUNITY DEVELOPMENT GRANT	3,945.44	135,471.89	131,526.28	523,617.95	120,639.92	778,558.87	19,886.33
SENIOR CITIZENS CENTER	5,555.49	3,333.33	8,888.82	39,194.51	678.00	38,869.51	8,213.42
RECREATIONAL SUPPORT PROGRAM	3,215.13	0.00	3,215.13	25,255.30	1,054.53	26,345.23	2,120.88
BARR ST. RIVERBANK INC.-CDAF	0.00	0.00	0.00	1,311.60	0.00	1,311.60	0.00
INVESTMENTS	5,941,550.00	5,378,000.00	4,563,550.00	18,111,550.00	4,762,000.00	22,873,550.00	5,325,550.00
LAND SALE - SMITH FIELD	114,442.21	23,324.00	137,766.21	1,111,442.21	31,644.00	1,143,086.21	731.75
EMS TRUST FUND	440.91	25.00	465.91	9,735.35	0.00	9,706.35	485.91
LR & S SPEC. DISTRIBUTION FUND	0.00	0.00	0.00	555,511.70	0.00	555,511.70	0.00
LYNCH SPEC. DIST. FUND	273,650.83	821,605.58	362,300.68	292,025.43	13,451.74	312,346.14	348,435.70
CORRECTION CENTER-LAND	321,480.00	0.00	321,480.00	0.00	0.00	0.00	321,480.00
CETA PAYROLL FUND 1974	76,794.10	849,420.58	926,215.08	2,196,655.81	726,100.46	3,927,752.21	130,106.56
CIVIC CT. - EC. BLK. I & III	1,884,326.00	0.00	1,884,326.00	931,120.00	1,077.28	1,036,898.35	27,271.28
TOTALS	1,667,455.20	25,643,700.23	26,711,165.43	198,611,323.10	24,569,170.76	223,180,493.86	4143,454.67

ADJUSTMENTS (EXPLAIN FULLY)

BALANCE (CCL. 7 MUST AGREE WITH CCL. 8)

CITY CONTROLLER'S AND CITY TREASURER'S MONTHLY FINANCIAL STATEMENT

MONTH OF DECEMBER - 1978

FUNDS	BEGINNING BALANCE	RECEIPTS FOR MONTH	TOTAL BALANCE AND RECEIPTS	DISBURSED TO DATE	DISBURSED FOR MONTH	TOTAL DISBURSED	CONTROLLER'S ENDING BALANCE
GENERAL FUND	317,227.04	2,611,640.45	2,928,857.45	11,912,949.89	1,668,056.31	13,611,006.20	1,230,211.12
CIVIL CITY PAYROLL FUND-1978	113,433.41	1,974,545.75	2,088,430.19	14,958,057.05	1,894,380.52	16,442,477.57	194,045.57
UTILITIES-ELECTRIC	51,642.95	824,543.61	876,192.56	26,349,626.72	873,298.92	27,222,925.64	2,492.64
UTILITIES-WATER	35,642.58	3,166,721.33	3,202,363.51	15,977,319.48	2,785,349.78	18,762,669.26	417,014.13
UTILITIES-SEWER	28,837.17	5,222,546.52	5,251,383.69	45,532,351.98	4,665,485.34	50,197,837.22	585,299.35
CIVIL CITY PAYROLL FUND-1977	0.00	0.00	0.00	584,054.96	0.00	584,054.96	0.00
COOPER TRUST FUND	35.93	0.00	35.93	117,563.65	0.00	117,558.65	35.93
R-51 ANTHONY WAYNE PARK	15,137.60	1,305.00	16,442.60	110,881.09	200.00	111,081.09	16,242.60
RECEIVERSHIP-MAIN ST. PROJ.	355,945.70	0.00	355,945.70	2,934,585.44	2,422,72	2,437,012.38	32,522.98
CETA	1,326,567.64	626,135.34	2,152,703.00	14,629,151.29	1,105,523.73	15,733,715.02	1,047,179.27
AVIATION	40,287.24	1,193,764.19	1,153,478.54	4,619,200.44	979,196.92	5,598,337.40	174,340.02
PARK GENERAL	40,911.07	635,472.98	680,368.52	7,221,463.30	389,273.52	7,610,736.82	251,111.53
PARK TRUST	102,599.47	420,385.87	522,985.34	1,377,258.89	433,275.95	1,810,534.53	39,705.35
REDEVELOPMENT GENERAL	36,912.36	19,580.34	56,500.70	95,755.09	11,362.13	100,157.22	45,139.57
R-52 REVOLVING FUND	6,364.65	8,635.35	15,000.00	99,723.04	11,422.79	111,145.85	3,577.21
REDEVELOPMENT DIST. BOND FUND	40,616.87	181,605.50	222,423.37	282,332.50	222,332.50	474,715.00	40,87
MOTOR VEH.HIGHWAY FUND	618,134.05	137,730.52	755,154.57	3,001,733.75	229,122.11	3,230,345.15	525,742.45
SEED RELIEF	23,173.54	34,156.40	117,229.94	143,634.76	0.00	149,644.76	117,229.94
E.E.C.C.-706 CONTRACT	26,094.47	15,312.00	41,406.47	30,705.00	6,317.27	37,026.27	35,089.20
PARKING ADMINISTRATION	126,224.99	21,328.89	143,593.88	152,875.24	27,190.39	280,069.63	116,403.49
PUBLIC LIGHTING	37,559.81	6,775.41	44,338.22	40,042.72	0.00	40,042.72	44,338.22
REVENUE SHARING TRUST FUND	2,467,038.34	0.00	2,467,038.34	4,803,650.59	886,911.11	5,590,502.14	1,580,127.23
L.P.O.-II	87,713.39	125,000.00	212,713.39	2,692,456.61	154,963.53	2,757,422.44	574,745.56
ANTI RECESSION - PWD	2,366.28	151.00	20,516.98	44,530.39	14,355.47	55,334.85	6,461.41
HUMANE TRUST	15,020.10	1,035.00	16,055.10	18,490.23	2,856.90	16,697.13	13,199.20
LOCAL ROAD & STREETS	1,731,882.80	0.00	1,731,882.80	2,791,550.25	70,934.23	2,852,554.49	1,560,949.57
MUNICIPAL UTILITIES-PENSION	10,655.55	7,900.13	18,555.68	50,324.13	7,940.13	58,292.24	10,655.55
FIRE PENSION FUND	8,441,66	223,285.77	214,474.11	1,370,355.55	126,284.46	1,488,574.11	86,563.45
POLICE PENSION FUND	60,403.04	226,227.40	165,424.36	1,457,751.24	137,616.78	1,595,356.02	21,207.58
SANITARY OFFICERS-PENICA	23,055.90	11,553.87	34,586.77	70,422.05	5,414.47	75,384.42	26,057.34
REDEVELOPMENT DISTRICT CAPITAL	163,582.35	6.00	183,583.35	1,452,135.14	175,307.00	1,625,495.14	7,373.35
CUMULATIVE CAPITAL IMPROVEMENT	291,643.90	401,267.56	692,911.46	307,300.38	671,672.63	479,173.01	20,338.83
FINE ARTS FOUNDATIONS	3,666.01	6,014.17	9,280.18	32,756.00	8,550.00	34,300.00	4,331.18
ACCIDENT REPORT ACCOUNT	11,436.92	1,631.00	13,316.92	21,46.54	112.20	21,154.74	13,204.75
PAYROLL PENSION FUND	1,320.17	268,825.66	270,248.03	2,969,810.17	266,824.86	3,138,633.03	1,390.17
CRIME REAELTION-SPECIAL TRUST	0.00	0.00	0.00	45.31	0.00	45.31	0.00
FT. LEE FIRE FIGHTING FUND	35,195.77	9.00	35,195.77	157,703.03	19,979.23	177,530.26	15,222.54
PARK CUMULATIVE PLDG. FUND	304,445	175,513.60	176,221.45	345,900.00	176,000.00	328,900.00	221.45
INDIANA R-14 REEVELOPMENT	7,225.85	0.00	7,225.85	30,885.06	0.00	30,885.06	7,225.85
CAMPUS C.I.F. CO-CTRL	11,452.65	0.00	11,452.65	126,598.63	2,197.76	127,744.39	5,244.39
CETA PAYROLL FUND	135,795.51	0.00	135,795.51	2,825,126.67	0.00	2,835,124.17	137,795.51
JUNK C.I.F. FUND	1,176.15	2,332.01	17,332.15	11,236.14	3,592.52	14,836.55	13,502.63
CATA REVOLVING FUND	1,601.7	24.00	17,601.7	1,27.32	0.00	7,602.75	625.97
FIRE P. SIC. FUND - 5/1/77	15,111.44	3,037.07	18,177.71	4,452.01	0.00	4,452.01	15,177.71
POLICE PENSION FUND - 5/1/77	14,465.17	6,775.41	21,242.58	38,571.65	0.00	38,571.65	21,247.52
STREET L. O. FUND/1975	321,011.16	0.00	321,111.16	10,142.16	0.00	10,142.16	320,011.16

CITY CONTROLLER'S AND CITY TREASURER'S FINANCIAL STATEMENT

DECEMBER 1978

	INVESTMENTS	BEGINNING BALANCE	RECEIPTS FOR MONTH	TOTAL BALANCE & RECEIPTS	DISBURSED TO DATE	DISBURSED FOR MONTH	TOTAL DISBURSED	CONTROLLER'S ENDING BALANCE
12	UTILITIES, ELECTRIC	1,150,000.-	450,000.	700,000.-	16,600,000.	500,000.	17,100,000.	1,200,000.-
13	UTILITIES, WATER	1,200,000.-	500,000.	700,000.-	8,250,000.	16,000,000.	24,250,000.	16,700,000.-
14	UTILITIES, SEWER	4,450,000.-	3,400,000.	1,050,000.-	34,050,000.	3,650,000.	37,700,000.	4,700,000.-
18	W.MAIN ST.PROJ./REDEV.	1,175,000.-		1,175,000.-	2,375,000.		2,375,000.	1,175,000.-
20	AVIATION	500,000.-	380,000.	200,000.-	2,291,530.	434,000.	2,725,530.	634,000.-
21	PARK GENERAL	900,000.-	200,000.	700,000.-	3,865,000.		3,865,000.	700,000.-
22	PARK TRUST	200,000.-	200,000.		904,000.	400,000.	1,304,000.	400,000.-
26	RED.DIS.BOND	192,950.-	156,500.	36,450.-	192,950.	63,000.	255,950.	99,450.-
28	MVH				200,000.		200,000.	
34	REVENUE SHARING				1,275,000.		1,275,000.	
38	LOCAL ROADS & STREETS				600,000.		600,000.	
43	AVIATION/SMITH FIELD	250,000.-	250,000.		960,445.	366,000.	1,326,445.	366,000.-
44	REDEVELOPMENT				1,000,000.	175,000.	1,175,000.	175,000.-
55	PARK CUM.CAPT.	172,000.-	172,000.		346,900.	176,000.	522,900.	176,000.-
80	STREET BOND				100,000.		100,000.	
99	INVESTMENTS	9,941,550.-	5,378,000.	4,563,550.-	39,045,550.	4,762,000.	43,807,550.	9,325,550.-
	TOTAL	(20,131,500.-)	11,006,500.	(9,125,000.-)	112,056,375.	26,526,000.	138,582,375.	(35,651,000.-)